## **REMARKS**

Reconsideration of this application, as amended, is respectfully requested.

Initially, the Applicant would like to thank the Examiner for the indication that claims 2-4, 9 and 11-13 contain allowable subject matter. Allowable claims 2, 9 and 11 have been amended into independent form.

In the Official Action, the Examiner objects to the Title of the invention as not being descriptive and requires a new Title. In response, the title has been amended to --OPTICAL DEFLECTION DEVICE INCLUDING AN OPTICAL DEFLECTION SURFACE HAVING CONTROLLABLE ATTITUDE AND CONTROL METHOD THEREOF--. Accordingly, it is respectfully requested that the objection to the Title be withdrawn.

In the Official Action, the Examiner rejects claims 1, 8 and 10 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,335,811 to Sakanaka (hereinafter "Sakanaka"). Furthermore, the Examiner rejects claims 5 and 14 under 35 U.S.C. § 103(a) as being unpatentable over Sakanaka.

In response, claims 1, 8 and 10 have been canceled, thereby rendering the rejections thereof moot. Furthermore, claims 5 and 14 have been amended to include the features of allowable claims 2 and 11, respectively.

Accordingly, it is respectfully requested that the rejections of claims 1, 5, 8, 10 and 14 under 35 U.S.C. §§ 102(b) and 103(a) be withdrawn.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

Thomas Spinelli

Registration No.: 39,5

Scully, Scott, Murphy & Presser, P.C. 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343 TS:cm